



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2308126  
**Applicant Name:** Ed Byers  
**Address of Proposal:** 2312 South Juneau Street

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into four lots. Proposed lot sizes are: Lot A) 5,001 square feet, Lot B) 5,001 square feet, Lot C) 5,145 square feet, and Lot D) 4,107 square feet. The “75/80” rule of the Land Use Code, SMC 23.44.010, is utilized for approval of the reduced lot area (less than 5,000 square feet) proposed for Lot D.

The following approval is required:

**Short Subdivision** – to create four parcels of land (SMC Chapter 23.24).

**SEPA DETERMINATION:**    ☒ Exempt    ☐ DNS    ☐ MDNS    ☐ EIS  
   ☐ DNS with conditions  
   ☐ DNS involving non-exempt grading, or demolition, or another  
   agency with jurisdiction.

**BACKGROUND DATA**

**Zoning:** SF 5000

**Date of Site Visit:** April 13, 2004

**Uses on Site:** One single-family structure on proposed Lot C.

**Site Characteristics:** The subject site is moderately down-sloping to the west (approximately 18 percent grade). There are no Environmentally Critical Areas (ECA's) on the site. South Juneau Street is paved but without curbs, gutters and sidewalks.

Public Comment

No comment letters were received during the comment period which ended March 10, 2004.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

### **Summary - Short Subdivision**

Based on information provided by the applicant, referral comments from DPD, Seattle Public Utilities (SPU) for water availability, Fire Department (SFD), Seattle City Light (SCL), and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards and applicable exceptions set forth in the Land Use Code, and are consistent with applicable development standards. As proposed, this short plat utilizes the “75/80” rule of SMC 23.44.010 that allows the creation of a lot with less than the normally required size for a particular zone provided the proposed lots are a minimum of 75% of the required lot size for the zone and at least 80% of the mean lot area of the lots on the same block face and within the same zone in which the lot is located.

There are three other lots on this block face of South Juneau Street. Eighty percent of the mean lot area of these lots is 4,107 square feet. Seventy-five percent of the 5000 square feet required lot size for this zone is 3,750 square feet. The one proposed lots with less than 5000 square feet is 4,107 and therefore meets the requirement of this rule.

This short subdivision provides vehicular access, public and private utilities and access for emergency personal, vehicles and pedestrians. Access for all proposed lots will be provided directly from South Juneau Street.

Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing storm water control, utility extensions, and the provision of required easements. No utility easements are required.

The public use and interest are served by this proposal. Three additional building lots will be created for the future construction of an additional housing unit in the City. The use of the "75/80" rule allows a lot to be created that is compatible with the existing platting pattern and that would otherwise not be allowed.

This site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable.

There are minor deciduous trees scattered along the northern edge of the parent lot. This short plat does not require their removal; they are in locations that are not likely to require removal for future construction of structures. If they are not preserved, the tree planting requirements of SMC 23.44.008 must be followed with future development of the lots. These require the planting of 2 caliper inches of tree per each 1000 square feet of lot area, or approximately 10 caliper inches of tree for each lot.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

### **CONDITIONS - SHORT SUBDIVISION**

#### **Conditions of Approval Prior to Recording**

1. Submit a signed "No Protest" Agreement for the future street improvements.
2. Pursuant to the Correction Notice of February 18<sup>th</sup>, 2004 from the Applicant Services Center - Addressing, correct the legal description for Parcel D as follows: "In the legal description for Parcel D of the pending Short Plat, the property dimension on the survey for the north line reads 61.21 feet and the legal calls out 69.45 feet. Please correct so the dimension in the legal and on the survey read the same".
3. Include a line showing the 5' setback from the right-of-way required by SMC 23.52.015.D.1.b(1).

#### **After Recording and Prior to Issuance of Any Building Permits**

The owner(s) and/or responsible party(s) shall:

1. Attach a copy of recorded short subdivision to all copies of future building permit application plans.

Signature: (signature on file) Date: May 3, 2004  
Art Pederson, Land Use Planner  
Department of Planning and Development  
Land Use Services